

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LINDA MARSHALL, BEN DAMPIOS, AL
SPILLOWAY, BERNIE APOTHEKER, HARRY
ESPOSITO and BRENT WENTZ, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

MILBERG WEISS BERSHAD & SCHULMAN
LLP, LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP, MELVYN I.
WEISS, DAVID J. BERSHAD, and STEVEN G.
SCHULMAN, DOES 1 THROUGH 15,

Defendants.
-----X

Civ. No. 07-CV-6950 (LAP)

**RESPONSE OF STEVEN
G. SCHULMAN TO
THE UNITED STATES'
MOTION FOR A STAY
AND PLAINTIFF'S
PARTIAL OPPOSITION**

Defendant, Steven G. Schulman ("Schulman") does not oppose the Government's Motion to Intervene and Stay All Proceedings pending resolution of related criminal prosecutions in the United States District Court for the Central District of California and joins in the request for a stay of all proceedings in the instant action.

Schulman also has no objection to plaintiffs filing an amended complaint pursuant to Federal Rules of Civil Procedure 15(a)(1)(A), provided the amended complaint constitutes plaintiff's one amendment as a matter of course.

Schulman opposes however, all of plaintiff's remaining "exceptions" to the Government's request for a stay including (a) requiring Defendants to answer the amended complaint; (b) permitting plaintiffs to serve written discovery and (c) requiring defendants to respond to the written discovery five days after lifting the stay.

Schulman respectfully refers the Court to the Memorandum of Law submitted by defendant David J. Bershad in response to Plaintiffs' partial opposition to the Government's Motion to Intervene and Stay all Proceedings and joins in the arguments contained therein.

Dated: March 19, 2008

Respectfully submitted,

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07 v 6950 (LAP)

LINDA MARSHALL, BEN DAMPIOS,
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others similarly situated,

Plaintiffs,

- against -

MILBERG WEISS BERSHAD & SCHULMAN LLP,
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DAVID J. BERSHAD, and STEVEN
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